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May 2, 2025

VIA ECF

The Honorable Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, 10007

Re: Yitzhak, et. al. v. Verner, et. al., Southern District of New York
Case No.: 1:23-cv-02084

Dear Judge Wang:

I represent Defendants Paul William Verner, Verner and Simon LLP, Verner and Simon, Verner and Simon, P.C. with respect to the above-referenced case and write to request a short extension of deposition dates for the reasons set forth below.

I am requesting a short extension of deposition deadlines, as I was unexpectedly retained to handle a trial the week of April 14th and was engaged for nearly two weeks in Supreme Court Bronx County before Judge Parker-Rosa. The case settled during trial late on April 28, 2025. Further, as advised during our last conference, my long-time associate Grace Song who was intimately familiar with this matter left the firm on April 11, 2025. Ms. Song was my only legal malpractice associate and her replacement has not yet started. As such, I am simply in need of additional time to prepare for the depositions in this matter.

I asked counsel for plaintiff if he would consent to my application, and he and his client kindly agreed to three weeks which was all the time that was available based upon Ms. Yitzhak's travel schedule, which I appreciate. In anticipation of filing this letter, Plaintiff's counsel and I discussed proposed dates for the party depositions. Should the Court grant my application, plaintiff will appear on June 6, 2025 and Mr. Verner will appear on June 12, 2025. The Court is respectfully advised that Ms. Yitzhak previously made herself available for deposition in April and May and was ready willing and able to complete depositions by the May 23, 2025 deadline. As such, defendants acknowledge that should the depositions not proceed as requested above, plaintiff intends to file a motion to strike defendants' answer and plaintiff's deposition will be deemed waived.

Do not do this. Discuss in your June 13 status letters if necessary. -OTW

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Based on the above, with the consent of plaintiff, we request that the Court's April 3rd Order be revised to the extent that: 1) The parties shall complete depositions of Ms. Yitzhak and Mr. Verner by June 13, 2025. Plaintiffs are directed to file a status letter by 5:00 p.m. on June 13, 2025. Defendants are directed to file a status letter by 11:59 p.m. on June 13, 2025. 2) Defendants' June 13, 2025 status letter will also inform the Court regarding the status of third party depositions. Plaintiffs represent that they do not intend to take third party depositions. 3) Plaintiffs' expert disclosures are due by July 18, 2025. Plaintiffs are directed to file a status letter by 5:00 p.m. on July 18, 2025. Defendants are directed to file a status letter by 11:59 p.m. on July 18, 2025. 4) Defendants' expert disclosures are due by August 18, 2025. Plaintiffs are directed to file a status letter by 5:00 p.m. on August 18, 2025. Defendants are directed to file a status letter by 11:59 p.m. on August 18, 2025.

I thank the court for its consideration and plaintiff's counsel and his client for extending professional courtesy under the circumstances.

Respectfully submitted,

/s/ Erin O'Leary

Erin O'Leary for
LEWIS BRISBOIS BISGAARD & SMITH LLP

EO

SO ORDERED.



Ona T. Wang
U.S.M.J. 5/5/2025